

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

MICHAEL KIELSKY.)

Petitioner,)

CIV 00-1343-PHX-EHC (JI)

vs.)

O R D E R

MICHAEL MORALES, et al.,)

Respondents.)

Petitioner filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 and an Amended Petition. (Dkts. 1 & 3). Respondents filed a Motion to Dismiss. (Dkt. 9), including Exhibits.

Magistrate Judge Jay R. Irwin filed a Report and Recommendation. (Dkt. 14). Respondents filed Objections. (Dkt. 15). The Objections and Petitioner's opposition to the Objections have been filed.

STANDARD OF REVIEW

A district court judge reviews de novo the Report and Recommendation of a Magistrate Judge. See 28 U.S.C. § 636(b)(1)(C) and Rule 1.15(b) Rules of Practice of the United States District Court for the District of Arizona.

DISCUSSION

The Court, having reviewed the record de novo, including the

(19)

1 Objections filed by Respondents and Petitioner's Opposition to
2 the Objections, adopts in full the Report and Recommendation and
3 incorporates the same as a part of this Order.

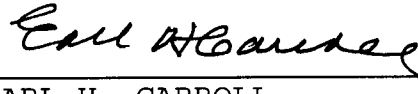
4 Accordingly,

5 **IT IS ORDERED** denying Respondents' Objections.

6 **IT IS FURTHER ORDERED** adopting the Report and Recommendation
7 of the Magistrate Judge. (Dkt. 14).

8 **IT IS FURTHER ORDERED** denying the Respondents' Motions to
9 Dismiss. (Dkt. 9).

10 **DATED** this 20 day of August, 2001.

11 

12 EARL H. CARROLL
13 United States District Judge
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28